



**camh**

Centre for Addiction and Mental Health  
Centre de toxicomanie et de santé mentale

## ADMINISTRATIVE POLICIES AND PROCEDURES

<b>POLICY: Health Privacy Policy</b>	<b>POLICY #:</b>
<b>ORIGINATOR: Carlyne Pasichny</b>	<b>APPROVAL DATE: October 20, 2004</b>
<b>DEPARTMENT: Privacy Office</b>	<b>APPROVED BY: Medical Advisory Committee &amp; Senior Management Group</b>

CAMH is committed to protecting the confidentiality of the personal health information in its custody and control. Anyone who collects, uses or discloses personal health information on CAMH's behalf is required to follow these 10 information practices:

### **1: Accountability for Personal Health Information**

CAMH is responsible for the personal health information in its custody or control, and has designated an individual, the CIO/Vice President of Information to act as its Chief Privacy Officer (CPO). The CPO is accountable for CAMH's compliance with its Privacy Policy and related legislation.

CAMH demonstrates its commitment to privacy and the confidentiality of personal health information by:

- Implementing policies and procedures to protect personal health information.
- Educating anyone who collects uses or discloses personal health information on CAMH's behalf about their responsibilities under CAMH's privacy policies.
- Implementing policies and procedures through the Privacy Office to:
  - Receive and respond to complaints
  - Field inquiries on privacy related matters, and
  - Make material on CAMH's privacy policies and procedures publicly available.
- Reviewing this Privacy Policy on an annual basis.

### **2: Identifying Purposes for Which Personal Health Information is Being Collected**

CAMH will identify to the individual from whom it collects personal health information (and explain as necessary) the purposes for the collection.

CAMH collects personal health information for purposes related to direct patient/client care, administration and management of CAMH programs and services, patient billing,

administration and management of the health care system, research, teaching, statistical reporting, fundraising and as permitted or required by law.

When personal health information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified. Unless the new purpose is permitted or required by law, consent is required before the information can be used for that purpose.

Refer to CAMH Personal Health Information Privacy Policy 4.1.1

### **3: Consent for the Collection, Use, and Disclosure of Personal Health Information**

CAMH will generally rely on implied consent from our clients or their legally authorized representative for the collection, use, or disclosure of Personal Health Information. In some circumstances, CAMH will obtain express consent to collect, use or disclose PHI as required by CAMH Policy. In any case, CAMH will collect, use or disclose PHI as permitted or required by law. CAMH may disclose personal health information as required by law without consent.

An individual may withdraw consent at any time, but the withdrawal cannot be retroactive. The withdrawal may also be subject to legal or contractual restrictions and reasonable notice.

Refer to CAMH Personal Health Information Privacy Policy 4.1.1

### **4: Limiting Collection of Personal Health Information**

CAMH limits the amount and type of personal health information it collects to that which is necessary to fulfill the purposes identified. Information is collected directly from the individual, unless the law permits or requires collection from third parties.

Collections of personal health information are done in accordance with CAMH Personal Health Information Privacy Policy 4.1.1.

### **5: Limiting Use, Disclosure, and Retention of Personal Health Information**

CAMH uses and discloses personal health information for purposes related to direct patient/client care, administration and management of CAMH programs and services, patient billing, administration and management of the health care system, research, teaching, statistical reporting, fundraising and as permitted or required by law.

Further information about uses and disclosures can be found in CAMH Personal Health Information Privacy Policy 4.1.1 and CAMH Disclosure of Personal Health Information policy.

Personal health information will be retained in accordance with CAMH policy, and as required by law. Otherwise it will be destroyed, erased, or made anonymous. Please refer to CAMH's policy, Retention & Disposal.

## **6: Accuracy of Personal Health Information**

To the extent reasonably possible, personal health information will be as accurate, complete, and up to date as is necessary for the purposes for which it is to be used. CAMH does not routinely update personal health information, unless this is necessary to fulfill the purposes for which the information was collected

## **7: Safeguards for Personal Health Information**

CAMH has implemented security safeguards for the personal health information it holds, which include:

- Physical measures (such as locked filing cabinets);
- Organizational measures (such as permitting access on a "need-to-know" basis only), and
- Technological measures (such as the use of passwords, encryption, and audits).

CAMH requires anyone who collects, uses or discloses personal health information on its behalf to be aware of the importance of maintaining the confidentiality of personal health information. This is done through the signing of confidentiality agreements, privacy training, and contractual means.

CAMH has taken steps to ensure that the personal health information in its custody and control is protected against theft, loss and unauthorized use or disclosure.

Care is used in the disposal or destruction of personal health information, to prevent unauthorized parties from gaining access to the information.

## **8: Openness About Personal Health Information Policies and Practices**

Information about CAMH's policies and practices relating to the management of personal health information are available, including:

- Contact information for the Chief Privacy Officer, to whom complaints or inquiries can be made;

- the process for obtaining access to personal health information held by CAMH, and making requests for its correction;
- a description of the type of personal health information held by CAMH, including a general account of its use and disclosures;
- a copy of any brochures or other information that explains CAMH's privacy policies, standards, or codes.

## **9: Individual Access to Personal Health information**

Individuals may make written requests to have access to their records of personal health information, in accordance with CAMH's policy for access and correction to records.

CAMH will respond to an individual's request within reasonable timelines and costs to the individual, as governed by legislation. CAMH will take reasonable steps to ensure that the requested information is made available in a form that is understandable.

Individuals who successfully demonstrate the inaccuracy or incompleteness of their personal health information may request that CAMH amend their information. This will be done in accordance with CAMH's access and correction to records.

## **10: Challenging Compliance with CAMH's Privacy Policies and Practices**

An individual may address a challenge concerning compliance with this policy to the Privacy Office, at (416) 535-8501, ext. 3314, or by e-mail at: [privacy@camh.net](mailto:privacy@camh.net).

CAMH will receive and respond to complaints or inquiries about its policies and practices relating to the handling of personal health information. It will inform individuals who make inquiries or lodge complaints of other available complaint procedures.

CAMH will investigate all complaints. If a complaint is found to be justified, CAMH will take appropriate measures. For further information about CAMH's complaints process please contact the Privacy Office at 416-535-8501 ext. 3314.